

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office MAR 20 2006

Returned to applicant for correction _____

Corrected application filed _____

Map filed MAR 20 2006

The applicant **Nye County Board of Commissioners** hereby make application for permission to change the **Point of Diversion, Place of use and manner of use of a portion of water heretofore appropriated under Permit #66276**

1. The source of water is **Underground**
2. The amount of water to be changed **15 acre feet**
3. The water to be used for **Quasi Municipal**
4. The water heretofore permitted for **Irrigation and domestic**
5. The water is to be diverted at the following point **SW ¼ SE ¼ of Section 9, T16S, R49E, MDB&M, or at a point from wence the S ¼ corner of said Section 9 bears S70°41'36"W – 1077.65 feet distant.**
6. The existing permitted point of diversion is located within **SW ¼ SE ¼ of Section 22, T16S, R49E, MDB&M, or at a point from wence the E¼ of said Section 22 bears N48°05'13"E – 2620.00 feet distant.**
7. Proposed place of use **SE ¼ SW¼ SE ¼ and the SW ¼ SE ¼ SE ¼ of Section 9,T16S,R49E,MDB&M.**
8. Existing place of use **4.77 acres within the SW ¼ SE ¼ of Section 22 T16S, R49E, MDB&M, APN 19-541-13, Parcel 3 as shown on Parcel Map # 73162 Nye County, NV Records. Acreage to be removed from Permit #66276 = 3.00 acres being the East 207.37 feet of APN 19-541-13.**
9. Use will be from **Jan. 1st to Dec. 31st** of each year.
10. Use was permitted from **Jan 1st to Dec. 31st** of each year.
11. Description of proposed works **As described on the proof of completion of work filed under Permit #70679 at the DWR.**
12. Estimated cost of works **\$30,000**
13. Estimated time required to construct works **Work completed under Permit # 70679 and under Permit # 40186 (canceled).**
14. Estimated time required to complete the application of water to beneficial use **2 years**

15. Remarks: Water will be used to service public facilities including, county library, clinic, sheriff's substation office, county fire dept, community center, ambulance bay building, county road dept. shop, & approximately 7.5 acres of cemetery land. Water will also be used from this source for dust control and road maintenance purposes.

By Oscar H. Wichman, Agent
s/O.H Wichman
P.O. Box 887
Tonopah, NV 89049

Compared sg/gkl lt/ gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, manner of use and place of use of a portion of the waters of an underground source as heretofore granted under Permit 66276 is issued subject to the terms and conditions imposed in said Permit 66276 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

The total combined duty of water under Permits 70679 and 74013 shall not exceed 30.0 acre-feet annually.
(Continued on Page 3)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0207 cubic feet per second, but not to exceed 15.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

June 28, 2009

Map in support of proof of beneficial use shall be filed on or before:

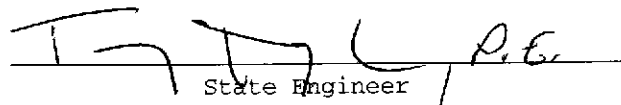
N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 28th day of June, A.D. 2007


State Engineer

Completion of work filed September 28, 2005 under 70679

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____